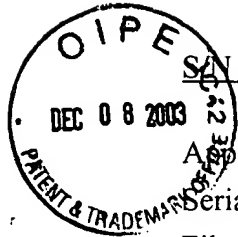


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SN 09/754,775

TECH CENTER 1600/2900

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David J. Grainger et al.

Examiner: Theodore Criares

Serial No.: 09/754,775

Group Art Unit: 1617

Filed: January 4, 2001

Docket: 295.009US3

Title: PREVENTION AND TREATMENT OF CARDIOVASCULAR PATHOLOGIES  
WITH TAMOXIFEN ANALOGUESTHERAPEUTIC

TERMINAL DISCLAIMER

Commissioner for Patents  
Washington, D.C. 20231

I, Janet E. Embretson, am the attorney of record for the above-identified patent application as evidenced by the Power of Attorney filed in the present application on January 4, 2001. I am making this petition on behalf of NeoRx Corporation, the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. §3.73(b)

Your petitioner, NeoRx Corporation, certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 09/754,775) and in and to U.S. Patent Nos. 6,197,789 and 5,770,609. Your petitioner owns the entire right, title, and interest in and to these applications by nature of the assignments executed and filed for all of these applications. The above-identified application (Serial No. 09/754,775) is a continuation of application Serial No. 08/973,570, now U.S. Patent No. 6,197,789. The assignment for Serial No. 08/973,570 was recorded with the United States Patent and Trademark Office on September 8, 1998 at Reel 9434, Frame 0042. The assignment for the application which issued as U.S. Patent No. 5,770,609 was recorded with the United States Patent and Trademark Office on December 20, 1995 at Reel 8096, Frame 0562.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, NeoRx Corporation, seeking to take the action set forth in this disclaimer.

12/09/2003 SZEWDIE1 00000099 09754775

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Repln. Ref: 12/09/2003 SZEWDIE1 0011191600  
DAH:190743 Name/Number:09754775  
FC: 9204 \$20.00 CR

**TERMINAL DISCLAIMER**

Serial Number: 09/754,775

Filing Date: January 4, 2001

Title: PREVENTION AND TREATMENT OF CARDIOVASCULAR PATHOLOGIES WITH TAMOXIFEN ANALOGUES

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Dkt: 295.009US3

Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application (Serial No. 09/754,775), which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent Nos. 6,197,789 or 5,770,609. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent Nos. 6,197,789 and 5,770,609 and the legal title to the above-identified application (Serial No. 09/754,775) and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application (Serial No. 09/754,775) and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application (Serial No. 09/754,775) prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any of U.S. Patent Nos. 6,197,789 and 5,770,609 in the event that any of them later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

**TERMINAL DISCLAIMER**

Serial Number: 09/754,775

Filing Date: January 4, 2001

Title: PREVENTION AND TREATMENT OF CARDIOVASCULAR PATHOLOGIES WITH TAMOXIFEN ANALOGUES

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Fee Status

A check in the amount of \$130.00, which is required under 37 C.F.R. §1.20(d) to file a statutory disclaimer, is enclosed herewith. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DAVID J. GRAINGER ET AL.

By their Representatives,

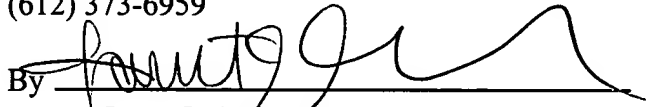
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Minneapolis, MN 55402

(612) 373-6959

Date December 15, 2003

By 

Janet E. Embretson

Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this \_\_\_\_ day of December, 2003.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature